

CITY OF MILFORD  
REGULAR MEETING  
JANUARY 3, 2012  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 3<sup>rd</sup> day of January 2012 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins. Also present: Elaine Plessel and Mark & Sharon Bright.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Bruha called the meeting to order at 7:30 pm. Mayor Bruha publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Library Meeting Room.

**MINUTES:** A motion was made by Heckman and seconded by Kral to approve the minutes of the December 6, 2011 meeting. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Baker to approve the minutes of the December 12, 2011 meeting. Roll call vote: Fortune yes, Baker yes, Heckman yes, Kral yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Kral and seconded by Heckman that the following bills in the amount of \$47,749.24 and payroll in the amount of \$26,163.95 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

**SALARIES:**

52561	Mark Frey	1485.30
52562	Forrest Siebken	1459.11
52563	Mavis Ferris	73.21
52564	Jeanne Hoggins	1342.91
52565	Gary TeSelle	782.90

52566	Robert Hull	861.60
52567	David Dahle	1155.92
52568	George Matzen	677.16
52569	Tracy Yeackley	643.79
52570	Benjamin Rediger	871.01
52571	Craig Corder	1149.43
52572	Jason Meyer	902.03
52573	Sean Stahly	120.28
52574	Sarah Davis	124.83
52575	Jillian Boden	298.15
52576	Lisa Aschoff	580.38
52577	Erica Pallas	333.10
52585	Mark Frey	1489.53
52586	Forrest Siebken	1361.61
52587	Mavis Ferris	73.21
52588	Jeanne Hoggins	1344.83
52589	Gary TeSelle	784.82
52590	Robert Hull	976.93
52591	David Dahle	1076.88
52592	George Matzen	385.90
52593	Tracy Yeackley	750.30
52594	Benjamin Redigerr	813.83
52595	Craig Corder	1272.83
52596	Jason Meyer	1092.98
52597	Sean Stahly	41.84
52598	Sarah Davis	44.47
52599	Jillian Boden	164.17
52600	Lisa Aschoff	585.70
52601	Erica Pallas	288.23
52604	Ricky Fortune	141.52
52605	Dean Bruha	188.70
52606	Jeffrey Baker	141.52
52607	Jeff Heckman	141.52
52608	Dan Kral	141.52
<b>GENERAL FUND:</b>		
52517	Aflac-Dis, Cancer, Acc, Supply	676.86
52518	American Building Inspectors- Monthly Fee	220.00
52519	American Water Works-Membership Dues	70.00
52520	Aramark-Pants & Rags	524.58
52521	AT&T-Long Distance	3.41
52522	ATCO-Asphalt	520.00

52523	Berry-Directory Advertising	16.15
52524	Black Hills Utility-Service for November	674.99
52525	D&D Communication-3 pagers	1153.50
52526	Dell Marketing- Computers & Supplies	2722.41
52527	Diode Communications- Service for November	55.22
52528	Eakes Office Plus-Cassette Tapes, Nameplate	47.50
52529	Electronic Engineering-Replacement Antenna	44.00
52530	Farmers Co-Op-Fuel for November	825.51
52531	G&P Development-Old Shingles	33.30
52532	Great Plains One Call-Locate Requests	21.21
52533	Kathy Ruzicka-Sr. Center Transition Assist	500.00
52534	Keith A Swett-Setup Laptop	60.00
52535	Lisa Aschoff- Food products & Coffee pot	170.87
52536	Lynn Peavey Company-Drug testing supplies	39.90
52537	Matheson Tri-Gas Inc.-Oxygen, Freight	171.65
52538	Matthew Bender & Co-Ne Criminal & Traffic book	104.24
52539	Meyer Automotive-Clamp, Inlet	98.85
52540	Milford Plumbing-Service Call	30.00
52541	Milford Supermarket-Food for Sr. Center	207.36
52542	Municipal Supply-3/4" meters	1913.02
52543	Mutual of Omaha-Disability	650.31
52544	Mutual of Omaha-Medicare Supplement (TeSelle)	30.24
52545	Nebraska Environmental Prod-Gutter Broom	126.15
52546	Nebraska Motor Parts-Batteries, Power Steering Fluid	321.31
52547	Nebraska Public Health-Nitrate/Coliform	44.00
52548	Nebraska Public Power-Service for November	5164.64
52549	Newman Traffic Signs-Stop signs, No parking	1014.80
52550	Proforma-Chamber map as	15.00
52551	Roxanne Roth- cleaning services	50.00
52552	Sam's Club- Paper towels & bath tissue	163.38
52553	Servi-Tech- Wastewater analysis, Nitrogen	72.70
52554	Seward Co Public Power- Wells 1&2	427.04
52555	Seward Co. Independent-Minutes, Ordinances	327.17
52556	Shell Fleet Plus- Fuel for '08 Truck	224.73
52557	Shell Fleet Plus- Car Gas	37.39
52558	The Garbage Company- Service for November	135.00
52559	Verizon Wireless-Cell Phone	92.68
52560	Windstream-November Service	600.24
52578	Ameritas Group- Pension	1635.56
52579	Union Bank- HSA	555.00
52580	Companion Life- Dental	627.77

52581	Companion Life-Vision	24.61
52582	Coventry Health Care- Health insurance for Jan	7077.18
52583	Fort Dearborn- Life Insurance	130.72
52584	NDHHS- Pool Review Fee	1100.00
52602	Ameritas Group- Pension	1635.56
52603	Union Bank-HSA	655.00
52609	Baker & Taylor-Books	52.30
52610	Blevens Law Office-Legal Services	350.00
52611	City-Petty Cash	14.17
52612	Crete Glass- Glass Replacement	178.65
52613	Culligan- Drinking Water	51.55
52614	CY Manufacturing- Amber fog lamp kit	225.80
52615	Dell Marketing- Computer (Mark)	2339.04
52616	George Matzen- Sheet protectors & Binders	164.30
52617	GreatAmerica Leasing Corp- Meter Rent	80.00
52618	Hawkins- 500 Ft tubing	245.50
52619	Heartsong- Books	12.99
52620	Ikon Office Solutions- Meter rent 12/4-1/3	196.88
52621	JEO Consulting- Road Program	2200.00
52622	Lynn Peavey- Drug Test Kids and B.A. Kits	59.85
52623	Menard's- Siding Wood, Materials	1474.23
52624	Milford Art Club- Window Painting	25.00
52625	Milford Plumbing- Repair Garbage disposal	57.50
52626	Milford School District- Parking Fines & Tob Lic.	50.00
52627	Nebraska Clerk Institute- Clerk School	616.00
52628	Omaha World Herald- Subscription	106.60
52629	Pizza Kitchen- Sr. Meals	254.50
52630	Roxanne Roth- Cleaning Services	75.00
52631	Shell Fleet Plus- Fuel	725.35
52632	Sport Supply Group- Volleyball Bag & Freight	41.99
52633	Sunrise Country Manor- November Meals	871.50
52634	Union Bank- G. TeSelle Acct, Medicare Part D	431.50
52635	Verizon Wireless- Cell Phone	102.80
52636	Verizon Wireless-Well Control Monitor	43.01
52637	Wal-Mart Community BRC- DVD's office supplies	383.83
52638	Windstream-Fire Dept. Sr. Center, Sewer plant phone	241.44

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Planning & Zoning minutes from December 19, 2011; Police Dept. activity report for December 2011 and MVFD Rescue NARSIS Report for December 2011. Baker – light poles in the uptown park will be installed this spring, they need to be painted. Baker asked for Nuisance

properties to be added to the February council meeting. Sirens have been installed and are in working order. Seward County may be interested in purchasing our old siren for placement at the interstate. Baker also visited with Viv Novotny with JEO regarding grant opportunities for a trail system thru-out the City Parks. Fortune mentioned that someone might want to look into a change in regulations regarding shortening up the median to make the rail road crossing at Walnut Street a Quiet Crossing. Lincoln has added a few new quiet crossings and the medians look smaller than what was originally proposed when the City looked into it. The truck traffic was discussed. Baker mentioned that the new Seward City Administrator is trying to form a Railroad Safety Division to evaluate the crossings in Seward County.

**COMMUNICATIONS:** \*Sales tax received for the month of October 2011 in the amount of \$10,423.21. \* Annual franchise fee received from Zito Media in the amount of \$6,052.13. \*Invitation to the Seward County Bridges annual meeting to be held January 24, 2012. \* NPPD representatives Craig Vincent and Bill Johnson met with Mayor Bruha regarding the Federal draft proposal to clean up the cole fire plants. The final proposal is so stringent that it will take billions of dollars to tighten things up.

**PUBLIC HEARING – Conditional Use Permits:** Mayor Bruha opened the Public Hearing at 7:42 pm. He turned the floor over to Mark Bright.

**Storage Units at 664 Alimo Rd:** Mark explained that he bought the old Harry Bachman property and has cleared off all the debris and trees. He has had the property surveyed and would like to construct storage units. He has designed them with a 50’ setback which is what TA District requires. The Planning and Zoning favorably recommended this project.

**Automotive Sales, Service and Repairs at 2342 Shepard Rd:** Mark has been operating the “Milford Frame Clinic” for years and has fixed up pickups and sold them. He has applied and received his dealer’s license to eliminate the additional inspection fees, making the process a bit more user friendly for auto sales. Planning and Zoning recommended this permit for approval also.

With no further discussion Mayor Bruha closed the Public Hearing at 7:46 pm.

**NEW BUSINESS:**

**Action on Request for storage units @ 664 Alimo Rd:** A motion was made by Kral and seconded by Heckman to approve the conditional use permit at 664 Alimo Rd to Mark & Sharon Bright for storage units. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

**Action on Request for Frame Shop & Automotive Sales @ 2342 Shepard Rd:** A motion was made by Heckman and seconded by Kral to

approve the conditional use permit at 2342 Shepard Rd in Grover to Mark & Sharon Bright for the operation of the Frame Shop and Automobile sales. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

**Approve 2012 Committee List:** Fortune questioned the need of a Cemetery Board as they haven't met for quite some time. The Municipal Code Book has guidelines for a Cemetery Board and they must oversee the bylaws. A motion was made by Fortune and seconded by Kral to accept the 2012 Committee list as presented. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried.

**Set Public Hearing Date – One & Six Year Plan:** Mayor Bruha set the Public Hearing date for the next regular meeting which will be February 7, 2012.

**Introduction and Adoption of Resolution – Call Highway Allocation Bonds:** Council member Baker introduced the following Resolution seconded by Heckman.

RESOLUTION NO. 472

BE IT RESOLVED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on February 3, 2012, after which date interest on the bonds will cease:

Highway Allocation Fund Pledge Bonds, Series 2007, dated January 10, 2007, in the principal amount of \$90,000.00, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP NO.</u>
\$15,000	January 15, 2013	599556 FK8
15,000	January 15, 2014	599556 FL6
20,000	January 15, 2015	599556 FM4
20,000	January 15, 2016	599556 FN 2
20,000	January 15, 2017	599556 FP7

Section 2. These bonds are to be paid at the office of the City Treasurer in Milford, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be fixed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date

and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 3<sup>rd</sup> day of January, 2012.

Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

By \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

(SEAL)

**Disposition of Unclaimed Property:** Chief Siebken noted there are 20 bicycles, 2 Samurai swords and 1 Diamondback Compound bow that have been stored at the police headquarters for over 180 days. He has contacted Mad Dads' of Lincoln and they are willing to accept the bikes for purpose of making repairs and distributing them to children in need without cost. Chief Siebken is asking permission to place the swords and bow on "Ebay" for three weeks and sold to the highest bidder. Proceeds will go back to the General Fund. A motion was made by Kral and seconded by Fortune to authorize Chief Siebken to proceed with the disposition of the mentioned items in the matter presented. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

**Council compensation survey results:** Item tabled.

**Executive Session – Real Estate:** A motion was made by Fortune and seconded by Kral to adjourn from the regular meeting into executive session for the purpose of acquisition of Real Estate. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and council went into executive session at 8:00 pm. A motion was made by Kral and seconded by Heckman to return to regular session. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried and Council returned to regular session at 8:35 pm.

**ADJOURNMENT:** A motion was made by Baker and seconded by Kral to adjourn the meeting. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried and meeting adjourned at 8:35 pm.

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Jeanne Hoggins, City Clerk

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Dean A. Bruha, Mayor

### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on January 3, 2012 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk